

NOT FOR PUBLICATION

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY
NEWARK VICINAGE

Anthony Russo,

Plaintiff,

v.

New Jersey State Parole Board,
et al.,

Defendants.

Civil Action No. 15-5703 (SRC)

OPINION

Chesler, United States District Judge

Plaintiff Anthony Russo, a prisoner confined at South Woods State Prison, seeks to withdraw his habeas petition under 28 U.S.C. § 2254 without prejudice because he has been granted parole. (ECF No. 9.) Plaintiff incorrectly filed his application in his closed civil rights action, rather than in his habeas case, Civil Action No. 15-cv-6736 (SRC). In the accompanying order filed herewith, the Court will direct the Clerk of Court to file Plaintiff's application to withdraw his § 2254 habeas petition (ECF No. 9) in Civil Action No. 15-cv-6736 (SRC), and the Court will grant Plaintiff's application to withdraw.

Dated: November 23, 2015

s/ Stanley R. Chesler
Stanley R. Chesler
United States District Judge